

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 10, 2004. In order to advance prosecution of this Application, Claims 1, 8, 9, 17, and 21 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 18 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Srbljic, et al.. Independent Claims 18 and 21 recite in general the ability to provide a copy of data to the remote memory, to automatically delete/invalidate the copy from the remote memory after a period of time, and to automatically update a status of the data at the main system memory upon expiration of the period of time without notification messaging between the main system memory and the remote memory. By contrast, the Srbljic, et al. patent clearly requires the transmission of an eject request in order to eject an outdated data object from a cache. The Srbljic, et al. patent merely avoids broadcasting eject requests messages when such messages need only be sent to relevant caches holding the data object. See col. 14, lines 5-66, of the Srbljic, et al. patent. Thus, the Srbljic, et al patent does not automatically delete or invalidate a copy of data after a period of time without notification messages to the remote memory as required by the claimed invention. Therefore, Applicant respectfully submits that Claims 18 and 21 are not anticipated by the Srbljic patent.

Claims 1-7, 9-16, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pawlowski, et al. in view of Srbljic, et al. The Examiner readily admits that the Pawlowski, et al. patent does not disclose invalidating a data copy at a first timed event as provided in the claims. The Examiner cites the Srbljic, et al. patent in combination of

the Pawlowski, et al. patent to support the ability to invalidate a data copy at a first time event. However, Independent Claims 1 and 9 recite ". . . automatically invalidating the copy in the I/O interface at a first time event without notification messaging . . ." As stated above, the Srbljic, et al. patent merely discloses avoiding broadcast transmission of eject messages to all caches by only sending eject requests to the relevant caches holding the data object to be ejected. Thus, the Srbljic, et al. patent does not automatically invalidate a copy of data without notification messaging as required in the claimed invention. Therefore, Applicant respectfully submits that Claims 1-7, 9-16, and 19 are patentably distinct from the proposed Pawlowski, et al. - Srbljic, et al. combination.

Applicant notes with appreciation the allowability of Claims 8, 17, 20, and 22 if placed into appropriate independent form. Claims 8, 17, and 22 have been amended into independent form as suggested by the Examiner. Claim 20 depends from Independent Claim 18 shown above to be patentably distinct from the cited art. Therefore, Applicant respectfully submits that Claims 8, 17, 20, and 22 are in condition for allowance.

With the presentation of three new independent claims, an additional filing fee is due. Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$258.00 to satisfy the excess independent claims fee of 37 C.F.R. §1.16(b).

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees and/or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in dark ink, appearing to read "Charles S. Fish", is written over the printed name.

Charles S. Fish

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